

REMARKS

This Amendment is in response to the Office action mailed on 18 March 2004 (Paper No. 4). Upon entry of this amendment, claims 1 through 3, 5 through 10 and 12 through 19 will be pending. By this Amendment, Applicant has cancelled claims 1 and 2 without prejudice or disclaimer, amended claims 1 and 2 and newly added claims 12 through 19.

In paragraph 1 of Paper No. 4, the Examiner asserts that the Declaration as originally filed is defective because the signature of the inventor Woo-Jong Park is missing. Applicant disagrees. Applicant has consulted his records and the Declaration as originally filed does indeed show Woo-Jong Park's signature. A copy of the Declaration as filed is attached.

Note that the signature was located on the same line where the inventor's name is printed. The Declaration was prepared and executed by the inventor in accordance with 37 C.F.R. §1.63.

Moreover, the Examiner's attention is invited to the fact that 37 C.F.R. §1.41 through §1.68 deal, in one particular or another, the Declaration of the inventor; no rule in the United States prescribes that the inventor must place his signature in a specific location on a Declaration. In the instant matter, the inventor's declaration is approximately where the signature is customarily placed, namely beneath the statement required under the *Consolidate Patent Rules*. Consequently, there is no basis for requiring a Supplemental Declaration under 37 C.F.R. §1.67 in view of the inventor's actual signing of the originally filed Declaration. Withdrawal of the requirement is therefore urged. Moreover, the

Examiner is respectfully requested to acknowledge, in writing, in subsequent Office correspondence that the inventor has in fact signed the original Declaration and that the Declaration was properly submitted with the application.

In view of the above, withdrawal of the objection to the Declaration and requirement for submission of substitute Declaration is respectfully requested.

In paragraph 2 of Paper No. 4, the Examiner objected to FIG. 6 because the reference numeral 140 of FIG. 6 is not mentioned in the specification. Applicant has amended the specification by this amendment to overcome this objection so that the specification now refers to step 140.

In paragraph 3 of Paper No. 4, the Examiner objected to the Abstract of the disclosure for using the word "said" which the Examiner deems is legal phraseology. Applicant has opted to replace the originally filed Abstract with a new Abstract by this amendment to overcome problem.

In paragraph 4 of Paper No. 4, the Examiner rejected claims 1, 2 and 4 under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent Application Publication No. 2002/0051450 to Ganesh *et al.* Applicant has amended claims 1 and 2 by this amendment and has canceled claim 4 by this amendment making this rejection moot.

In paragraph 5 of Paper No. 4, the Examiner has rejected claims 3 and 5-11 under 35 U.S.C. 103 (a) as being unpatentable over Ganesh '450. Applicant has the following comments:

Regarding independent claim 5, Applicant claims in the fourth limitation, "determining whether said destination address is the same as the source address" and Applicant claims in the fifth and last limitation of claim 5 "transmitting said information packet to said destination address if said destination address is in said local search block of said port and is not the same as the source address". On page 9 of Paper No. 4, the Examiner admits that Ganesh '450 does not teach either of these two limitations of Applicant's claim 5 but then dismisses these limitations in Paper No. 4 by saying that they are obvious modifications and are well known in the art. Applicant disagrees. Applicant submits that neither of these two limitations are obvious or well known in the art. Applicant further submits that switches, like the one in Ganesh '450, do not check to see if the source and destination address are equal. Applicant further submits that switches, like the one in Ganesh '450 unnecessarily forward the frame to the switch and then to the destination even when the source and the destination are the same, which is an unnecessary use of the resources of Ganesh '450. Therefore, Applicant submits that MPEP 2143.03 has not been honored in the rejection of claim 5.

Applicant further challenges the Examiner's assertion that Applicant's determining

whether the source and destination address are the same is obvious and well known as per MPEP 2144.03. Further, Applicant challenges the Examiner's assertion that the packet is forwarded based on this determination and requests that the Examiner to produce such a teaching and incorporate it into a rejection if the Examiner believes that these limitations are merely obvious and well known variants as per MPEP 2144.03. Applicant submits that neither of these features and limitations are well known in the art, especially in the context of an ethernet switch. Applicant submits that if they were well known, they would have been present in the Ganesh '450 reference. Therefore, Applicant traverses the rejection of claim 5 and has left claim 5 unamended by this amendment.

Regarding the rejecting step of Applicant's claim 6, Applicant submits that the Examiner never addressed this limitation of Applicant's claim 6 in Paper No. 4. Applicant further submits that this rejecting feature of rejecting an information packet when the source and destination are the same as claimed by Applicant in Applicant's claim 6 is not taught or suggested by Ganesh '450. Further, Applicant submits that this feature is not well known or an obvious variant of Ganesh '450, especially in the context of an ethernet switch. Therefore, Applicant has left claim 6 unamended and traverses the rejection of claim 6.

Regarding claim 8, Applicant claims, in the first limitation, "sending no-port information from said main search block to said port device if said main search block does not comprise said destination address". On Page 10 of Paper No. 4, the Examiner addresses

claim 8. The Examiner recites this first limitation of Applicant's claim 8 on page 10 of Paper No. 4 but does not show any comparable feature in Ganesh '450 in Paper No. 4 where this limitation is taught or suggested. Further, the Examiner, in Paper No. 4, does not give any kind of justification or explanation of why this first limitation of Applicant's claim 8 should be rejected. Applicant therefore submits that the Examiner never examined this first limitation of Applicant's claim 8 in Paper No. 4. Furthermore, Applicant submits that Ganesh '450 does not teach or suggest this limitation. Applicant submits that Ganesh '450 never discusses this communication between main and port when the central lookup table for the switch does not have a destination address found in a frame. Further, there is no teaching in Ganesh '450 of the main search block sending this no-port information when the main or central table does not have this address. Applicant further submits that Ganesh '450 does not disclose determining whether the destination address in the received information packet exists within a system or not, and Applicant further submits that Ganesh '450 is silent on how the system operates when the requested destination address does not exist. In other words, Ganesh '450 is silent on how to process the input packet when the requested destination address does not exist. Therefore, Applicant has left claim 8 unamended by this amendment and traverses the rejection of claim 8.

Amendments to claim 1

Applicant has amended claim 1 by this amendment so that claim 1 now claims that the main search unit is configured to send the "no-port" signal to the local search block when the

main search unit does not have the destination address stored within. Applicant submits that this feature is not taught or suggested by Ganesh '450.

Newly added claims 12-19

Applicant is newly adding claims 12 through 19 by this amendment to claim features of Applicant's invention not taught or suggested by Ganesh '450. These features include 1) the hash algorithm and its use, 2) the sending of a "no-port" signal from the main to the local block when the main or central table does not have the destination address of a packet, 3) the broadcasting of the packet by a port to all ports in the switch upon receipt of the "no-port" signal from the main indicating that the destination address is not in the local or main tables and 4) the comparison of the source and destination address to see if they are the same and the filtering or rejection of the information packet when they are the same. Applicant submits that neither of these features is found in Ganesh '450 and neither of these features is an obvious variant of Ganesh '450 or an obvious design choice. Entry of and favorable examination of these claims is respectfully requested.

No fees are incurred by the filing of this amendment.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. E. Bushnell", written over a horizontal line.

Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56257
Date: 6/14/04
I.D.: REB/ML